Registered No. HSE-49/2016

RIGHT TO INFORMATION

# ఆంధ్రప్రదేశ్ రాజపత్రము

# THE ANDHRA PRADESH GAZETTE

## PUBLISHED BY AUTHORITY

**PART I EXTRAORDINARY**

**No.1160** AMARAVATI, WEDNESDAY, SEPTEMBER 20, 2023 **G.983**

## NOTIFICATIONS BY GOVERNMENT

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## REVENUE DEPARTMENT
### (COMMERCIAL TAXES)

THE ANDHRA PRADESH GOODS AND SERVICES TAX RULES, 2017- AMENDMENTS - APGST (SECOND AMENDMENT) RULES, 2023.

***[G.O.Ms.No.432, Revenue (Commercial Taxes), 19th September, 2023.]***

**NOTIFICATION**

In exercise of the powers conferred by section 164 of the Andhra Pradesh Goods and Services Tax Act, 2017 (Act No.16 of 2017), the Government of Andhra Pradesh, on the recommendations of the Goods and Services Tax Council, hereby makes the following rules further to amend the Andhra Pradesh Goods and Services Tax Rules, 2017, namely: —

**AMENDMENT**

**1. Short title and commencement.-** (1) These rules may be called the Andhra Pradesh Goods and Services Tax (Second Amendment) Rules, 2023.

(2) Save as otherwise provided in these rules, they shall come into force on the date of their publication in the Official Gazette.

**2.** In the Andhra Pradesh Goods and Services Tax Rules, 2017 (hereinafter referred to as the said rules), in rule 9, in sub-rule (1), in the proviso, in the longline, the words "in the presence of the said person" shall be omitted.

**3.** In the said rules, in rule 10A, for the portion beginning with the words and figure "as soon as may be, but not later than forty-five days" and ending with the words "in order to comply with any other provision" the following shall be substituted, namely:-

"within a period of thirty days from the date of grant of registration, or before furnishing the details of outward supplies of goods or services or both under section 37 in **FORM GSTR-1** or using invoice furnishing facility, whichever is earlier, furnish information with respect to details of bank account on the common portal".

**4.** In the said rules, in rule 21A, –

(i) for sub-rule (2A), the following sub-rule shall be substituted,namely:–

"(2A) Where,-

(a) a comparison of the returns furnished by a registered person under section 39 with the details of outward supplies furnished in FORM GSTR-1 or the details of inward supplies derived based on the details of outward supplies furnished by his suppliers in their FORM GSTR-1, or such other analysis, as may be carried out on the recommendations of the Goods and Services Tax Council, show that there are significant differences or anomalies indicating contravention of the provisions of the Act or the rules made thereunder, leading to cancellation of registration of the said person, or

(b) there is a contravention of the provisions of rule 10A by the registered person,

the registration of such person shall be suspended and the said person shall be intimated in **FORM GST REG-31**, electronically, on the common portal, or by sending a communication to his e-mail address provided at the time of registration or as amended from time to time, highlighting the said differences, anomalies or non-compliances and asking him to explain, within a period of thirty days, as to why his registration shall not be cancelled.";

(ii) in sub-rule (4), after second proviso, the following proviso shall be inserted, namely: –

"Provided also that where the registration has been suspended under sub-rule (2A) for contravention of provisions of rule 10A and the registration has not already been cancelled by the proper officer under rule 22, the suspension of registration shall be deemed to be revoked upon compliance with the provisions of rule 10A.".

**5.** In the said rules, in rule 23, in sub-rule (1), with effect from the 1st day of October, 2023,–

(a) for the part beginning with the words "within a period of thirty days" and ending with the words and figures "section 30", the words "within a period of ninety days from the date of the service of the order of cancellation of registration" shall be substituted;

(b) in the first proviso, for the words "Provided that", the following shall be substituted, namely: –

"Provided that such period may, on sufficient cause being shown, and for reasons to be recorded in writing, be extended by the Chief Commissioner or an officer authorised by him in this behalf, not below the rank of Additional Commissioner or Joint Commissioner, as the case may be, for a further period not exceeding one hundred and eighty days:

Provided further that";

(c) in the second proviso, for the words "Provided further", the words " Provided also" shall be substituted.

**6.** In the said rules, for rule 25, the following rule shall be substituted, namely: –

**"25. Physical verification of business premises in certain cases.-**

(1) Where the proper officer is satisfied that the physical verification of the place of business of a person is required after the grant of registration, he may get such verification of the place of business done and the verification report along with the other documents, including photographs, shall be uploaded in **FORM GST REG- 30** on the common portal within a period of fifteen working days following the date of such verification.

(2) Where the physical verification of the place of business of a person is required before the grant of registration in the circumstances specified in the proviso to sub-rule (1) of rule 9, the proper officer shall get such verification of the place of business done and the verification report along with the other documents, including photographs, shall be uploaded in **FORM GST REG-30** on the common portal at least five working days prior to the completion of the time period specified in the said proviso.".

**7.** In the said rules, in rule 43, after sub-rule (5), –

(a) in *Explanation 1,* clause (c) shall be omitted;

(b) after *Explanation* 2, with effect from the 1st day of October, 2023, the following*Explanation* shall be inserted, namely: -

"*Explanation 3*:- For the purpose of rule 42 and this rule, the value of activities or transactions mentioned in sub-paragraph (a) of paragraph 8 of Schedule III of the Act which is required to be included in the value of exempt supplies under clause (b) of the Explanation to sub-section (3) of section 17 of the Act shall be the value of supply of goods from Duty Free Shops at arrival terminal in international airports to the incoming passengers.".

**8.** In the said rules, in rule 46, in clause (f), in the proviso, for the words "name and address of the recipient along with its PIN code and the name of the State and the said address shall be deemed to be the address on record of the recipient", the following words "name of the state of the recipient and the same shall be deemed to be the address on record of the recipient" shall be substituted;

**9.** In the said rules, in rule 59, in sub-rule (6), after clause (d), the following clauses shall be inserted, namely:-

"(**e**) a registered person, to whom an intimation has been issued on the common portal under the provisions of sub-rule (1) of rule 88D in respect of a tax period or periods, shall not be allowed to furnish the details of outward supplies of goods or services or both under section 37 in **FORM GSTR-1** or using the invoice furnishing facility for a subsequent tax period, unless he has either paid the amount equal to the excess input tax credit as specified in the said intimation or has furnished a reply explaining the reasons in respect of the amount of excess input tax credit that still remains to be paid, as required under the provisions of sub-rule (2) of rule 88D;

(**f**) a registered person shall not be allowed to furnish the details of outward supplies of goods or services or both under section 37 in **FORM GSTR-1** or using the invoice furnishing facility, if he has not furnished the details of the bank account as per the provisions of rule 10A.".

**10.** In the said rules, in rule 64, with effect from the 1st day of October, 2023, for the words "person in India other than", the words "non-taxable online recipient referred to in section 14 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017) or to" shall be substituted.

**11.** In the said rules, in rule 67, in sub-rule (2), with effect from the 1st day of October, 2023, for the portion beginning with the words "The details" and ending with the words "suppliers", the words "The details of tax collected at source under sub-section (1) of section 52 furnished by the operator under sub-rule (1) shall be made available electronically to each of the registered suppliers" shall be substituted.

12. In the said rules, after rule 88C, the following rule shall be inserted, namely:-

**"88D. Manner of dealing with difference in input tax credit available in auto- generated statement containing the details of input tax credit and that availed in return.-**

(1) Where the amount of input tax credit availed by a registered person in the return for a tax period or periods furnished by him in FORM GSTR-3B exceeds the input tax credit available to such person in accordance with the auto-generated statement containing the details of input tax credit in FORM GSTR-2B in respect of the said tax period or periods, as the case may be, by such amount and such percentage, as may be recommended by the Goods and Services Tax Council, the said registered person shall be intimated of such difference in Part A of FORM GST DRC-01C, electronically on the common portal, and a copy of such intimation shall also be sent to his e-mail address provided at the time of registration or as amended from time to time, highlighting the said difference and directing him to—

(a) pay an amount equal to the excess input tax credit availed in the said FORM GSTR-3B, along with interest payable under section 50, through FORM GST DRC-03, or

(b) explain the reasons for the aforesaid difference in input tax credit on the common portal,

within a period of seven days.

(2) The registered person referred to sub-rule (1) shall, upon receipt of the intimation referred to in the said sub-rule, either,

(a) pay an amount equal to the excess input tax credit, as specified in Part A of FORM GST DRC-01C, fully or partially, along with interest payable under section 50, through FORM GST DRC-03 and furnish the details thereof in Part B of FORM GST DRC-01C, electronically on the common portal, or

(b) furnish a reply, electronically on the common portal, incorporating reasons in respect of the amount of excess input tax credit that has still remained to be paid, if any, in Part B of FORM GST DRC-01C,

within the period specified in the said sub-rule.

(3) Where any amount specified in the intimation referred to in sub-rule (1) remains to be paid within the period specified in the said sub-rule and where no explanation or reason is furnished by the registered person in default or where the explanation orreason furnished by such person is not found to be acceptable by the proper officer, the said amount shall be liable to be demanded in accordance with the provisions of section 73 or section 74, as the case may be.".

13. In the said rules, in rule 89,-

(a) in sub-rule (1), in third proviso, for the words "in the last return required to be furnished by him" the words "only after the last return required to be furnished by him has been so furnished" shall be substituted;

(b) in sub-rule (2), in clause (k), after the words "payment of tax" the words "and interest, if any, or any other amount paid" shall be inserted.

14. In the said rules, rule 94 shall, with effect from the 1st day of October, 2023, be renumbered as sub-rule (1) and after the sub-rule as so renumbered, the following sub-rule shall be inserted, namely:-

"(2) The following periods shall not be included in the period of delay under sub- rule (1), namely:-

(a) any period of time beyond fifteen days of receipt of notice in FORM GST RFD- 08 under sub-rule (3) of rule 92, that the applicant takes to-

(i) furnish a reply in FORM GST RFD-09, or

(ii) submit additional documents or reply;

and

(b) any period of time taken either by the applicant for furnishing the correct details of the bank account to which the refund is to be credited or for validating the details of the bank account so furnished, where the amount of refund sanctioned could not be credited to the bank account furnished by the applicant.".

15. In the said rules, in rule 96, in sub-rule (2), both the provisos shall be omitted.

16. In the said rules, in rule 108, in sub-rule (1), –

(a) for the words "either electronically or otherwise as may be notified by the Chief Commissioner", the word "electronically" shall be substituted;

(b) the following proviso shall be inserted, namely:-

"Provided that an appeal to the Appellate Authority may be filed manually in FORM GST APL-01, along with the relevant documents, only if-

(i) the Chief Commissioner has so notified, or

(ii) the same cannot be filed electronically due to non-availability of the decision or order to be appealed against on the common portal,

and in such case, a provisional acknowledgement shall be issued to the appellant immediately.".

17. In the said rules, in rule 109, in sub-rule (1),–

(a) for the words "either electronically or otherwise as may be notified by the Chief Commissioner", the word "electronically" shall be substituted;

(b) the following proviso shall be inserted, namely:-

"Provided that an appeal to the Appellate Authority may be filed manually in FORM GST APL-03, along with the relevant documents, only if-

(i) the Chief Commissioner has so notified, or

(ii) the same cannot be filed electronically due to non-availability of the decision or order to be appealed against on the common portal,

and in such case, a provisional acknowledgement shall be issued to the appellant immediately.".

18. In the said rules, after rule 138E, the following rule shall be inserted, namely:-

**"138F. Information to be furnished in case of intra-State movement of gold, precious stones, etc. and generation of e-way bills thereof.-**

(1) Where-

(a) a Chief Commissioner of State tax mandates furnishing of information regarding intra-State movement of goods specified against serial numbers 4 and 5 in the Annexure appended to sub-rule (14) of rule 138, in accordance with sub-rule (1) of rule 138F of the State Goods and Services Tax Rules, and

(b) the consignment value of such goods exceeds such amount, not below rupees two lakhs, as may be notified by the Chief Commissioner of State tax, in consultation with the jurisdictional Principal Chief Commissioner or Chief Commissioner of Central Tax, or any Commissioner of Central Tax authorised by him,

notwithstanding anything contained in Rule 138, every registered person who causes intra-State movement of such goods, -

(i) in relation to a supply; or
(ii) for reasons other than supply; or
(iii) due to inward supply from an un-registered person,

shall, before the commencement of such movement within that State, furnish information relating to such goods electronically, as specified in Part A of FORM GST EWB-01, against which a unique number shall be generated:

**Provided** that where the goods to be transported are supplied through an e-commerce operator or a courier agency, the information in Part A of FORM GST EWB-01 may be furnished by such e-commerce operator or courier agency.

(2) The information as specified in PART B of FORM GST EWB-01 shall not be required to be furnished in respect of movement of goods referred to in the sub-rule(1) and after furnishing information in Part-A of FORM GST EWB-01 as specified in sub-rule (1), the e-way bill shall be generated in FORM GST EWB-01, electronically on the common portal.

(3) The information furnished in Part A of FORM GST EWB-01 shall be made available to the registered supplier on the common portal who may utilize the same for furnishing the details in FORM GSTR-1.

(4) Where an e-way bill has been generated under this rule, but goods are either not transported or are not transported as per the details furnished in the e-waybill, the e-way bill may be cancelled, electronically on the common portal, within twenty-four hours of generation of the e-way bill:

**Provided** that an e-way bill cannot be cancelled if it has been verified in transit in accordance with the provisions of rule 138B.

(5) Notwithstanding anything contained in this rule, no e-way bill is required to be generated-

(a) where the goods are being transported from the customs port, airport, air cargo complex and land customs station to an inland container depot or a container freight station for clearance by Customs;

(b) where the goods are being transported-

(i) under customs bond from an inland container depot or a container freight station to a customs port, airport, air cargo complex and land customs station, or from one customs station or customs port to another customs station or customs port, or

(ii) under customs supervision or under customs seal.

(6) The provisions of sub-rule (10), sub-rule (11) and sub-rule (12) of rule 138, rule 138A, rule 138B, rule 138C, rule 138D and rule 138E shall, *mutatis mutandis,* apply to an e-way bill generated under this rule.

*Explanation*.- For the purposes of this rule, the consignment value of goods shall be the value, determined in accordance with the provisions of section 15, declared in an invoice, a bill of supply or a delivery challan, as the case may be, issued in respect of the said consignment and also includes the central tax, State tax charged in the document and shall exclude the value of exempt supply of goods where the invoice is issued in respect of both exempt and taxable supply of goods.".

19. in the said rules, after rule 142A, the following rule shall be inserted, namely:-

**"142B. Intimation of certain amounts liable to be recovered under section 79 of the Act.-**(1) Where, in accordance with section 75 read with rule 88C, or otherwise, any amount of tax or interest has become recoverable under section 79 and the same has remained unpaid, the proper officer shall intimate, electronically on the common portal, the details of the said amount in **FORM GST DRC-01D**, directing the person in default to pay the said amount, along with applicable interest, or, as the case may the amount of interest, within seven days of the date of the said intimation and the said amount shall be posted in Part-II of Electronic Liability Register in **FORM GST PMT-01**.

(2) The intimation referred to in sub-rule (1) shall be treated as the notice for recovery.

(3) Where any amount of tax or interest specified in the intimation referred to in sub- rule (1) remains unpaid on the expiry of the period specified in the said intimation, the proper officer shall proceed to recover the amount that remains unpaid in accordance with the provisions of rule 143 or rule 144 or rule 145 or rule 146 or rule 147 or rule 155 or rule 156 or rule 157 or rule 160.".

20. In the said rules, in rule 162, with effect from the 1st day of October, 2023, –

(a) in sub-rule (3), the words "has cooperated in the proceedings before him and" shall be omitted;

(b) after sub-rule (3), the following sub-rule shall be inserted, namely:-

"(**3A**) The Chief Commissioner shall determine the compounding amount under sub-rule (3) as per the Table below:-

**TABLE**

| **S.No.** | **Offence** | **Compounding amount if offence is punishable under clause (i) of sub- section (1) of section 132** | **Compounding amount if offence is punishable under clause (ii) of sub- section (1) of section 132** |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| 1 | Offence specified in clause (a) of sub-section (1) of section 132 of the Act | Up to seventy-five per cent of the amount of tax evaded or the amount of input tax credit wrongly availed or utilised or the amount of refund wrongly taken, subject to minimum of fifty per cent of such amount of tax evaded or the amount of input tax credit wrongly availed or utilised or the amount of refund wrongly taken. | Up to sixty per cent of the amount of tax evaded or the amount of input tax credit wrongly availed or utilised or the amount of refund wrongly taken, subject to minimum of forty per cent of such amount of tax evaded or the amount of input tax credit wrongly availed or utilised or the amount of refund wrongly taken. |
| 2 | Offence specified in clause (c) of sub-section (1) of section 132 of the Act | | |
| 3 | Offence specified in clause (d) of sub-section (1) of section 132 of the Act | | |
| 4 | Offence specified in clause (e) of sub-section (1) of section 132 of the Act | | |

| | | | |
|---|---|---|---|
| 5 | Offence specified in clause (f) of sub-section (1) of section 132 of the Act | Amount equivalent to twenty-five per cent of tax evaded. | Amount equivalent to twenty-five per cent of tax evaded. |
| 6 | Offence specified in clause (h) of sub-section (1) of section 132 of the Act | | |
| 7 | Offence specified in clause (i)of sub-section (1) of section 132 of the Act | | |
| 8 | Attempt to commit the offences or abets the commission of offences mentioned in clause (a), (c) to(f) and clauses (h) and (i) of sub-section (1) of section 132 of the Act | Amount equivalent to twenty-five per cent of such amount of tax evaded or the amount of input tax credit wrongly availed or utilised or the amount of refund wrongly taken. | Amount equivalent to twenty-five per cent of such amount of tax evaded or the amount of input tax credit wrongly availed or utilised or the amount of refund wrongly taken. |

**Provided** that where the offence committed by the person falls under more than one category specified in the Table above, the compounding amount, in such case, shall be the amount determined for the offence for which higher compounding amount has been prescribed.".

21. In the said Rules, after rule 162, with effect from the 1st day of October, 2023, the following rule, shall be inserted, namely:-

"**163. Consent based sharing of information.-** (1) Where a registered person opts to share the information furnished in—

(a) FORM GST REG-01 as amended from time to time;

(b) return in FORM GSTR-3B for certain tax periods;

(c) FORM GSTR-1 for certain tax periods, pertaining to invoices, debit notes and credit notes issued by him, as amended from time to time,

with a system referred to in sub-section (1) of section 158A (hereinafter referred to as "requesting system"), the requesting system shall obtain the consent of the said registered person for sharing of such information and shall communicate the consent

along with the details of the tax periods, where applicable, to the common portal.

(2) The registered person shall give his consent for sharing of information under clause (c) of sub-rule (1) only after he has obtained the consent of all the recipients, to whom he has issued the invoice, credit notes and debit notes during the said tax periods, for sharing such information with the requesting system and where he provides his consent, the consent of such recipients shall be deemed to have been obtained.

(3) The common portal shall communicate the information referred to in sub-rule (1) with the requesting system on receipt from the said system-

(a) the consent of the said registered person, and

(b) the details of the tax periods or the recipients, as the case may be, in respect of which the information is required.".

22. In the said rules, in FORM GSTR-3A, the following shall be inserted at the end, namely:- " **Or**

**Notice to return defaulter u/s 46 for not filing annual return**

Financial year- Type of Return –GSTR-9/GSTR-9A

Being a registered taxpayer, you are required to furnish annual return for the supplies made or received and/or to include self-certified reconciliation statement for the aforesaid financial year by due date. The due date specified for filing annual return for the said financial year is over and it has been noticed that you have not filed the said return till date.

2. You are, therefore, requested to furnish the said return within 15 days failing which appropriate action including imposition of penalty as per law will be taken.

3. This notice shall be deemed to have been withdrawn in case the return referred above, is filed by you before issue of the show cause notice of penalty proceeding.

4. This is a system generated notice and does not require signature.".

23. In the said rules, in FORM GSTR-5A, with effect from 1st day of October, 2023;–

i. in the heading, for the words "persons in India", the words, brackets and figure **"online recipient (as defined in Integrated Goods and Services Tax Act, 2017) and to registered persons in India"** shall be substituted;

ii. for serial number 4 and the entries relating thereto, the following serial number and entries shall be substituted, namely:-

"4.Period: Month - _____Year-

4 (a) ARN :

4 (b) Date of ARN:",

(iii) in serial number 5, for the word "consumers", the words "non-taxable online recipient" shall be substituted;

(iv) in serial number 5A, for the word "persons", the words "online recipient" shall be substituted;

(v)after serial number 5A and the entries relating thereto, the following serial numbers and entries shall be inserted, namely:

"5B. Taxable outward supplies made to registered persons in India, other than non-taxable online recipient, on which tax is to be paid by the said registered persons on reverse charge basis

(Amount in Rupees)

| GSTIN | Taxable Value |
|---|---|
| 1 | 2 |
| | |
| | |

5C. Amendments to the taxable outward supplies made to registered persons in India, other than non-taxable online recipient, on which tax is to be paid by the said registered persons on reverse charge basis

(Amount in Rupees)

| Month | Original GSTIN | Revised GSTIN | Taxable value |
|---|---|---|---|
| 1 | 2 | 3 | 4 |
| | | | |
| | | | |

";

24. In the said rules, in **FORM GSTR-8,** with effect from the 1st day of October, 2023,-

(a) after serial number 3 and the entries relating thereto, the following serial number and entries, shall be inserted, namely;-

**"3.1. Details of supplies made through e-commerce operator by un- registered suppliers**

| Enrolment no. of supplier | Gross value of supplies made | Value of supplies returned | Net value of the supplies |
|---|---|---|---|
| 1 | 2 | 3 | 4 |
| | | | |
| | | | |

";

(b) after serial number 4 and the entries relating thereto, the following serial number and entries , shall be inserted, namely;-

**"4.1. Amendments to details of supplies made through e-commerce operator by unregistered suppliers**

| Original details | | | Revised details | | |
|---|---|---|---|---|---|
| Month | Enrolment no. of supplier | Enrolment no. of supplier | Gross value of supplies made | Value of supply returned | Net value of the supplies |
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |
| | | | | | |

".

25. In the said rules, in **FORM GSTR-9,** under the heading 'Instructions', -

(a) in paragraph 4, -

(A) after the word, letters and figures "or FY 2021-22", the word, letters and figures "or FY 2022-23" shall be inserted;

(B) in the Table, in second column, -

(I) against serial numbers 5D, 5E and 5F, the following entries shall be inserted at the end, namely: –

'For FY 2022-23, the registered person shall report Non-GST supply (5F) separately and shall have an option to either separately report his supplies as exempted and nil rated supply or report consolidated information for these two heads in the "exempted" row only.';

(II) against serial numbers 5H, 5-I and 5J & 5K, for the figures and word "2020-21 and 2021-22", the figures and word "2020-21, 2021- 22 and 2022-23" shall respectively be substituted;

(b) in paragraph 5, in the Table, in second column, -

(A) against serial numbers 6B, 6C, 6D and 6E, for the letters and figures "FY 2019-20, 2020-21 and 2021-22", the letters, figures and word "FY 2019- 20, 2020-21, 2021-22 and 2022-23" shall respectively be substituted;

(B) against serial numbers 7A, 7B, 7C, 7D, 7E, 7F, 7G and 7H, for the figures and word "2020-21 and 2021-22", the figures and word "2020-21, 2021- 22 and 2022-23" shall be substituted;

(c) in paragraph 7, -

(A) after the words and figures "filed upto 30th November, 2022.", the following words, figures and letters shall be inserted, namely: -

"For FY 2022-23, Part V consists of particulars of transactions for the previous financial year but paid in the **FORM GSTR-3B** of April, 2023 to October, 2023 filed upto 30th November, 2023.";

(B) in the Table, in second column, -

(I) against serial numbers 10 & 11, the following shall be inserted at the end, namely: -

"For FY 2022-23, details of additions or amendments to any of the supplies already

declared in the returns of the previous financial year but such amendments were furnished in Table 9A, Table 9B and Table 9C of **FORM GSTR-1** of April, 2023 to October, 2023 filed upto 30th November, 2023 shall be declared here.";

(II) against serial number 12, -

(i) after the words, figures and brackets "upto 30th November, 2022 shall be declared here. Table 4(B) of **FORM GSTR-3B** may be used for filling up these details.", the following shall be inserted, namely: -

"For FY 2022-23, aggregate value of reversal of ITC which was availed in the previous financial year but reversed in returns filed for the months of April, 2023 to October, 2023 filed upto 30th November, 2023 shall be declared here. Table 4(B) of **FORM GSTR-3B** may be used for filling up these details.";

(ii) for the figures and word "2020-21 and 2021-22", the figures and word "2020-21, 2021-22 and 2022-23" shall be substituted;

(III) against serial number 13, -

(i) after the words, letters and figures "reclaimed in FY 2022-23, the details of such ITC reclaimed shall be furnished in the annual return for FY 2022-23,", the following shall be inserted, namely: -

"For FY 2022-23, details of ITC for goods or services received in the previous financial year but ITC for the same was availed in returns filed for the months of April, 2023 to October, 2023 filed upto 30th November, 2023 shall be declared here.Table 4(A) of FORM GSTR-3B may be used for filling up these details. However, any ITC which was reversed in the FY 2022- 23 as per second proviso to sub-section (2) of section 16 but was reclaimed in FY 2023-24, the details of such ITC reclaimed shall be furnished in the annual return for FY 2023- 24.";

(ii) for the figures and word "2020-21 and 2021-22", the figures and word "2020-21, 2021-22 and 2022-23" shall be substituted;

(d) in paragraph 8, in the Table, in second column, -

(A) against serial numbers, -

(I) 15A, 15B, 15C and 15D; and

(II)15E, 15F and 15G,

for the figures and word "2020-21 and 2021-22", the letters, figures and word "2020-21, 2021-22 and 2022-23" shall respectively be substituted.";

(B) against serial numbers 16A, 16B and 16C, for the figures and word "2020-21 and 2021-22", the figures and word "2020-21, 2021-22 and 2022-23" shall respectively be substituted.";

(C) against serial number 17 & 18, for the word, letter and figures "For FY 2021- 22", the words, letter and figures "For FY 2021-22 and 2022-23" shall be substituted.".

26. In the said rules, in **FORM GSTR-9C,-**

(i) in Part A, in the table -

(a)in Sl no. 9, after B and the entries relating thereto, the following shall be inserted, namely: -

| | | | | | | |
|---|---|---|---|---|---|---|
| "B-1 | 6% | | | | | ."; |

(b) in Sl no. 11, after description "5%", the following shall be inserted, namely: -

| | | | | | |
|---|---|---|---|---|---|
| "6% | | | | | ."; |

(c )in Pt. V, after description "5%", the following shall be inserted, namely:-

| | | | | | |
|---|---|---|---|---|---|
| "6% | | | | | ."; |

(ii) under the heading 'Instructions', -

(a)in paragraph 4, in the Table, in second column, against serial no. 5B, for the figures and word "2020-21 and 2021-22", the figures and word "2020-21, 2021-22 and 2022-23" shall be substituted;

(b)in paragraph 6, in the Table, in second column, against serial number 14, for the figures and word "2020-21 and 2021-22", the figures and word "2020-21, 2021-22 and 2022-23" shall be substituted.

27. In the said rules, in **FORM GST RFD-01**, in Annexure-1, under Statement-7, for the Table, the following Table shall be substituted, namely:-

"

| Sl. No. | Document/Invoice Details | | | Details of amount paid | | | | | | Details of refund claimed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Type of document | ARN No. | Date | Integrated Tax | Central Tax | State/UT Tax | Cess | Interest | Any other (please specify) | Integrated Tax | Central Tax | State/UT Tax | Cess | Interest | Any other (please specify) |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| | | | | | | | | | | | | | | | |

";

28. In the said rules, after FORM GST DRC-01B, the following forms shall be inserted, namely: -

**"FORM GST DRC-01C**

**[See rule 88D]**

**PART-A (System Generated)**

**Intimation of difference in input tax credit available in auto-generated statement containing the details of input tax credit and that availed in return**

**Ref No:** **Date:**

**GSTIN:**

**Legal Name:**

1. It is noticed that the input tax credit availed by you in the return furnished in **FORM GSTR-3B**exceeds the amount of input tax credit available to you in accordance with the auto- generated statement containing the details of input tax credit made available to you in **FORM GSTR-2B**for the period<from><to> by an amount of Rs The details thereof areas follows:

| Form Type | Input tax credit available / availed (in Rs.) | | | | |
|---|---|---|---|---|---|
| | IGST | CGST | SGST/UTGST | Cess | Total |
| FORM GSTR-2B | | | | | |
| FORM GSTR-3B | | | | | |
| Excess input tax credit availed | | | | | |

2. In accordance with sub-rule (1) of rule 88D, you are hereby requested to either pay an amount equal to the said excess input tax credit, along with interest payable under section 50, through **FORM GST DRC-03** and furnish the details thereof in **Part-B** of **FORM GST DRC-01C,** and/or furnish the reply in **Part-B** of **FORM GST DRC-01C** incorporating reasons in respect of that part of the excess input tax credit that has remained to be paid, within a period of seven days.

3. It may be noted that where any amount of the excess input tax credit remains to be paid after completion of a period of seven days and where no explanation or reason for the same is furnished by you or where the explanation or reason furnished by you is not found to be acceptable by the proper officer, the said amount shall be liable to be demanded in accordance with the provisions of section 73 or section 74, as the case may be, of the Act.

4. This is a system generated notice and does not require signature.

**PART-B**

**Reply by Taxpayer in respect of the intimation of difference in input tax credit**

Reference No. of Intimation: Date:

A. I have paid the amount equal to the excess input tax credit, as specified in **Part A** of **FORM GST DRC-01C,** fully or partially, along with interest payable under section 50, through **FORM GST DRC-03**, and the details thereof are as below:

| ARN of FORM GST DRC-03 | Paid Under Head | Tax Period | IGST | CGST | SGST/UT GST | CESS | Interest |
|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | | | | | | |

**AND/OR**

B. The reasons in respect of that part of the excess input tax credit that has remained to be paid are as under:

| S. No | Brief Reasons for Difference | Details (Mandatory) |
|---|---|---|
| 1 | Input tax credit not availed in earlier tax period(s) due to non-receipt of inward supplies of goods or services in the said tax period (including in case of receipt of goods in instalments). | |
| 2 | Input tax credit not availed in earlier tax period(s) inadvertently or due to mistake or omission | |
| 3 | ITC availed in respect of import of goods, which is not reflected in **FORM GSTR-2B** | |
| 4 | ITC availed in respect of inward supplies from SEZ, which are not reflected in **FORM GSTR- 2B** | |
| 5 | Excess reversal of ITC in previous tax periods which is being reclaimed in the current tax period | |
| 6 | Recredit of ITC on payment made to supplier, in respect of ITC reversed as per rule 37 in earlier tax period. | |
| 7 | Recredit of ITC on filing of return by the supplier, in respect of ITC reversed as per rule 37A in earlier tax period. | |
| 8 | **FORM GSTR-3B** filed with incorrect details and will be amended in next tax period (including typographical errors, wrong tax rates, etc.) | |
| 9 | Any other reasons (Please specify) | |

**Verification**

I_____ hereby solemnly affirm and declare that the information given hereinabove is true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.

Signature of Authorised Signatory

Name:

Designation/Status:

Place:

Date:

**FORM GST DRC –01D**

*[See rule 142B]*

**Intimation for amount recoverable under section 79**

Reference No. -
Date-

1. Details of intimation:

(a) Financial year:

(b) Tax period: From --- To --------

2. Section(s) of the Act or rule (s) under which intimation is issued: < Drop down or check box for section 75 (12) r/w 79 may be provided>

3. Details of tax, interest or any amount payable:

(Amount in Rs.)

| Tax Period | | Act | POS (Place of Supply) | Tax | Interest | Penalty | Fee | Others | Total |
|---|---|---|---|---|---|---|---|---|---|
| From | To | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| Total | | | | | | | | | |

You are hereby directed to make the payment within seven days failing which proceedings shall be initiated against you to recover the outstanding dues as per the provisions of section 79 of the Act.

Signature:
Name:
Designation:
Jurisdiction:
Address:

To,

GSTIN/ID
Name
Address

**Note-**

1.Only applicable fields may be filled up."

**M. GIRIJA SHANKAR,**
*Secretary to Government (CT) (Finance).*

Note:-The principal rules were published in Extra-ordinary issue of Andhra Pradesh Gazette No.16, Part. IV. B,Dt: 07-06-2017 notification issued in Go.Ms.No.227, Revenue (CT-II)Department, dated 22.06.2017, an were last amended *vide* notification issuedin Go.Ms.No.421 Revenue (CT) Department, dated 04.09.2023published in Extra-ordinary issue of Andhra Pradesh Gazette No.16, Part. IV. B,Dt: 07-06-2017.

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